

# Conversation Contents

**Re: Action Required - eERDMS Audit Request for WO BLM-2018-00519**

**Attachments:**

/50. Re: Action Required - eERDMS Audit Request for WO BLM-2018-00519/1.1 DI-4003 \_Enterprise eArchive System Audit Request RCW.pdf  
/50. Re: Action Required - eERDMS Audit Request for WO BLM-2018-00519/1.2 2018 0328 DI-4008 Rules of Behavior - BRO Signed V Shaw.pdf.pdf  
/50. Re: Action Required - eERDMS Audit Request for WO BLM-2018-00519/1.3 Request\_2018-00519\_Saeger.pdf  
/50. Re: Action Required - eERDMS Audit Request for WO BLM-2018-00519/4.1 DI-4003 \_Enterprise eArchive System Audit Request RCW.pdf

**"Shaw, Valerie" <vshaw@blm.gov>**

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**From:** "Shaw, Valerie" <vshaw@blm.gov>  
**Sent:** Mon Apr 02 2018 12:07:10 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Action Required - eERDMS Audit Request for WO BLM-2018-00519  
DI-4003 \_Enterprise eArchive System Audit Request RCW.pdf  
**Attachments:** 2018 0328 DI-4008 Rules of Behavior - BRO Signed V Shaw.pdf.pdf Request\_2018-00519\_Saeger.pdf

Hello Cindy,

I have attached copies of the rules of behavior and eERDMS audit request and incoming FOIA request we are working on for the WO (EFTS BLM-2018-00159) request. Please let me know if you see any problems or concerns and I can fix them, otherwise I just need your blessing.

Thank you in advance!

**Valerie Shaw**

**BLM Idaho State Office FOIA/PA Lead**

**1387 S Vinnell Way, Boise, Idaho 83709-1657**

**Office: (208) 373.3947 Fax: (208) 373.3915**

**Email: [vshaw@blm.gov](mailto:vshaw@blm.gov)**

*This e-mail (including any and all attachments) is intended for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential or otherwise protected by applicable law. If you are not the intended recipient or the employee or agent responsible for delivery of this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this e-mail or its contents is strictly prohibited. If you received this e-mail in error, please destroy (delete and remove from your server) it immediately and contact me at 208-373-3947.*



## ENTERPRISE eARCHIVE SYSTEM (EES) AUDIT REQUEST

NOTICE: Users requesting an audit must have appropriate authorization from their supervisor and must complete the [DI-4008: eERDMS Rules of Behavior](#) prior to submitting a DI-4003. By submitting this DI-4003, all parties acknowledge that a DI-4008 has been completed and understand their responsibilities. Please review the [Guide to the Discovery and Collection Process](#) or [Audit Gaps Dashboard](#) for additional information.

### Section 1: Employee's Information

*\*required fields*

1. Employee's Full Name\*:

Valerie Shaw

2. Date Audit Request Needed By\*:

April 2, 218

3. Employee's Organization Name\*:

DOI

4. Bureau/Office\*:

BLM Idaho State Office

5. Employee's Electronic Mail (E-mail) Address\*:

VShaw@blm.gov

6. Employee's Telephone Number\*:

208-373-3947

### Section 2: Audit Request Information

*\*required fields*

**IMPORTANT:** If you eliminate the use of variant names, limit highly complex terms/phrases, and provide full dates formatted mm/dd/yyyy, then processing your audit request will be more expedient, but there may be search gaps. You may refer to the [Audit Gap Dashboard](#) for additional information.

7a. Type of Audit (select all that apply)\*: ☐ Congressional or Administrative Record ☐ Litigation  
☐ Human Resources or Investigative Case File  
☒ Freedom of Information Act (FOIA)  
☐ Refining Audit Request Scope ☐ Other (proceed to 7b.)

#### TYPE DESCRIPTIONS:

*Congressional or Administrative Record = Requests regarding Congressional matters or administrative records. Approval required by Office Director or Chief of Staff.*

*Litigation = Requests regarding legal matters. Approval required by the litigation person listed in the [instructional guide](#).*

*Human Resources or Investigative Case File = Requests relating to human resources matters or an investigation. Approval required by the human resources person listed in the [instructional guide](#).*

*FOIA = Requests regarding the Freedom of Information Act. Approval required by Departmental FOIA Officer and Bureau/Office FOIA Officer.*

*Refining Audit Request Scope = If you have already submitted an approved DI-4003 but need to revise/change the data criteria by refining the search scope, please select this type and be sure to complete Questions 12a through 13b. If you have already submitted an approved DI-4003 and want to increase your search scope, a new DI-4003 must be completed.*

*Other = Requests for an audit, records, collection etc. Approval required by your respective Bureau Records Officer.*

7b. If other is selected, please specify below.

8. Reference Name/Case/Matter\*:

BLM-2018-00519 / FOIA Request from Chris Saeger, Western Values Project

9a. Date Criteria\* (select only one): ☐ Sent Date Only ☐ Received Date Only ☐ Both Sent Date and Received Date

*Include start date and end date. Dates are based on sent and/or received date of e-mail. If you have multiple date ranges, you must submit a separate DI-4003 for each date range. Only one date range is allowed per DI-4003.*

**IMPORTANT:** Audit requests for non-e-mail material must be submitted to your records management office.

NOTICE: Users requesting an audit must have appropriate authorization from their supervisor and must complete the [DI-4008: eERDMS Rules of Behavior](#) prior to submitting a DI-4003. By submitting this DI-4003, all parties acknowledge that a DI-4008 has been completed and understand their responsibilities. Please review the [Guide to the Discovery and Collection Process](#) or [Audit Gaps Dashboard](#) for additional information.

9b. Start Date (mm/dd/yyyy)\*: **07/01/2017**

9c. End Date (mm/dd/yyyy)\*: **07/31/2017**

10a. Repository Criteria (select only one)\*: ☐ Department-wide (proceed to Question 11) or  
☐ Bureau/Office-Specific (proceed to 10b)

**IMPORTANT - MANDATORY ATTACHMENT:** Employee must have authorized access to the repository before an audit search can be performed (i.e., a completed, approved DI-4008). If you do not have authorized access, please complete the DI-4008 first. You must provide a copy of your approved DI-4008 with this DI-4003.

**NOTE:** Please also be aware that employees may have alternate e-mail addresses; for example, an employee on a detail assignment to a different bureau/office, plus bureaus/offices may have changed their organizational name or domains, such as Minerals Management Service is now Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement and this could affect an audit request.

10b. Bureau/Office Name(s) (Type each bureau/office in fields 10c through 10h):  
(e.g., National Park Service)

10c. **BLM Idaho State Office**

10d.

10e.

10f.

10g.

10h.

10i.

10j.

10k.

10l.

10m.

10n.

10o.

10p.

11. Custodian E-mail Information (continue to Page 6, if you have more than five):

**NOTE:** Legacy e-mails could be in different formats because of departmental domain changes; for example, John\_Doe@domain.gov, jdoe@domain.gov, or john.doe@domain.gov. By selecting "Include Variant Names," your results will increase, but you must provide the e-mail box owner's variant names (i.e., LastName and FirstName).

**SPECIAL INSTRUCTIONS:**

Please enter any information or notes that may be helpful in fulfilling your request; for example, I want e-mails from Jane.Doe@fws.gov to/from John\_Smith@gmail.com or I want e-mails from/to the government between the other parties/e-mails listed. Government = Jane.Doe@fws.gov and Other = John\_Smith@gmail.com and MaryJohnson@gmail.com.

For a FOIA request BLM-2018-00519; I need all emails from/to Timothy M. Murphy (tmurphy@blm.gov) dated from 07/01/2017 through 07/31/2017 pertaining to the Bureau of Land Management Executive Leadership Team Meeting that took place in Denver CO on 07/12/2017 through 07/13/2017. FOIA Request reads: want all Tim's email/correspondence, should include carbon copies ("CC"), or blind carbon copying ("BCC") to/from any of these individuals: " Michael Nedd, Howard Hedrick, Kathleen Benedetto, Jeff Brune, Gordon Toevs, Vicki Herren, John Ruhs, Karen Kelleher, Kristin Bail, Joseph Stout, Heather Bernier, all BLM staff at the address blm\_elt@blm.gov, and all members of the Executive Leadership Team, concerning the Executive Leadership Team meeting on 07/12/2017 through 07/13/2017.

E-mail Address*	E-mail Information	Variant Names (if applicable)
11a. TMurphy@blm.gov	11a. <input checked="" type="checkbox"/> Sender <input checked="" type="checkbox"/> Recipient <input checked="" type="checkbox"/> Include Variant Names	11a. Timothy M. Murphy
11b.	11b. <input type="checkbox"/> Sender <input type="checkbox"/> Recipient <input type="checkbox"/> Include Variant Names	11b.
11c.	11c. <input type="checkbox"/> Sender <input type="checkbox"/> Recipient <input type="checkbox"/> Include Variant Names	11c.
11d.	11d. <input type="checkbox"/> Sender <input type="checkbox"/> Recipient <input type="checkbox"/> Include Variant Names	11d.
11e.	11e. <input type="checkbox"/> Sender <input type="checkbox"/> Recipient <input type="checkbox"/> Include Variant Names	11e.

12a. Query Management (select all that apply): ☐ Refined Date Range ☐ Refined Bureau/Office ☐ Refined Custodian  
☒ Refined Keywords (complete Question 13b, if needed)

**NOTE:** Query Management is only applicable if you selected "Refining Audit Request Scope" for Question 7a - Type of Audit. If you did not select "Refining Audit Request Scope" you may skip Questions 12a through 12c.

12b. Refinements against previously run audit request:

12c. Previous Audit Name:

13a. Search Criteria (select the all that apply)\*: ☒ All ☐ Content ☐ Metadata (continue to Page 9, if more space is needed)

**IMPORTANT:** All is default unless otherwise specified. Fields may vary based on document type. If multiple strings are needed, please make sure to specify AND or OR conditions between each keyword(s). It is not recommended to search without context of words. If your search is specialized or complex, please contact your eERDMS point of contact for details. Large collections (i.e., 10K+) will not be provided outside of EES.

**NOTE:** Boolean includes: "AND," "OR," "NOT"  
Look For includes: "All Words," "Any Words," "Exact Phrase"  
Modifier includes: "Synonyms of," "Related To," "Sounds Like," "Word Begin With," "Word Ends With"

13b. Keywords (e.g., "Sample Case Name" AND "State" OR "Place" AND-NOT "Places"\*):  
All emails "To/From" "Timothy Murphy" "Dated From" "0701/2017 to 07/31/2017" with keywords "Executive AND Leadership "And" Team" Related To "Meeting in Denver CO on 07/12/2017 through 07/13/2017 "OR "ELT" And "meeting in Denver CO on 07/12/2017 through 07/13/2017".



### Section 3: Output Information

\*required fields

14. Result Type (select only one)\*: ☒ PST ☐ HTML ☐ MSG ☐ EML ☐ PDF Portfolio (PDF Portfolio delays delivery of results)

**NOTE:** All results are encrypted unless shared within the U.S. Department of the Interior's network.

PST = Personal Storage (Default Format). A personal folder in Microsoft Outlook. You must have Microsoft Outlook to open files.

HTML = Hyper Text Markup Language file format is used as the basis of a Web page; can be used interchangeably with HTM.

MSG = An Outlook Mail Message file extension; may be compatible with other programs using Microsoft's Messaging Applications Programming Interface (MAPI).

EML = A file extension for an e-mail message saved to a file in the MIME RFC 822 standard format by Microsoft Outlook Express.

PDF Portfolio = Multiple files assembled into an integrated PDF unit. The files can be in a wide range of file types created in different applications.

15. Media Type (select only one)\*: ☐ CD ROM only (maximum 650 MB per CD) ☐ DVD (maximum 4 GB per DVD)  
☐ HDD (>50 GB) ☐ Secured HDD (> 50 GB, PGP encryption NA)  
☐ FTP Account Name (if known):  
☐ Other (please specify):  
☒ Use any of the appropriate media listed above (Default)

**IMPORTANT:** The U.S. Department of the Interior does not have external or portable hard drives for a media type. The employee is responsible for providing external or portable hard drives, if Other is selected and hard drives are specified.

16. Number of Copies: 1 (Default is one copy, unless otherwise specified)

**NOTE ON DATA ENCRYPTION:** In accordance with departmental policy, all content that is shipped is encrypted. Passwords will be communicated to the authorized audit employee only through e-mail or telephone. Passwords will not be left on the audit employee's voicemail.

**NOTICE:** Section 4 only needs to be completed if you require your audit results be shipped to you.

### Section 4: Shipping/Packaging Information

\*required fields

17a. Bureau/Office or Company Name*: <b>BLM State FOIA Office</b>	17b. Recipient's Name* <b>Valerie Shaw</b>	17c. Recipient's Telephone Number*: <b>208-373-3947</b>
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17d. Address 1*: <b>1387 S Vinnell Way</b>	17e. Address 2:	17f. City, State, and ZIP Code*: <b>Boise, ID. 83709-1657</b>
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**NOTE:** Default shipping method is Standard Mail, but you may provide us your FedEx or UPS account information below in order to use that delivery/shipping method. Additional recipients for same address may be listed in fields 17h through 17j (additional charges may apply).

17g. Federal Express (FedEx) Account Number (if applicable): **#142749556**

17h. United Postal Service (UPS) Account Number (if applicable):

17i. Additional Recipient 1: <b>IDSO FOIA Group</b>	17i. Additional Recipient 2:	17i. Additional Recipient 3:
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**NOTICE:** Section 5 must have all representatives and signatures, which are dependent on your request type, in order to process this DI-4003 (see list below). The employee's signature is required on all DI-4003 forms. You may sign this form manually or digitally. Please reference the [instructional guide](#) for specific information on who you should obtain signatures from at the Department and bureau/office.

If you selected...

- Congressional or Administrative Record, then the Congressional and Administrative Records Representative signature is required
- Litigation, then the Legal Representative signature is required
- Human Resources or Investigative Case File, then the Human Resources Specialist signature is required
- Freedom of Information Act (FOIA), then the Departmental FOIA Officer and Bureau/Office FOIA Officer signatures are required
- Refining Audit Request Scope, then no additional signatures are required because this is a revise/change the data criteria to refine the search scope on an already approved DI-4003
- Other, then the Records Officer signature is required

## Section 5: Approvals

\*required fields

Employee's Full Name*: Valerie Shaw	Employee's Signature*:	Date: March 28, 2018
Departmental FOIA Officer's Full Name:	Departmental FOIA Officer's Signature (if applicable):	Date:
Bureau/Office FOIA Officer's Full Name: Ryan C. Witt	Bureau/Office FOIA Officer's Signature (if applicable):	Date: 4/2/2018
Legal Representative's Full Name:	Legal Representative's Signature (if applicable):	Date:
Human Resources Specialist's Full Name:	Human Resources Specialist's Signature (if applicable):	Date:
Bureau Records Officer's Full Name:	Bureau Records Officer's Signature (if applicable):	Date:
Congressional and Administrative Records Representative's Full Name:	Congressional and Administrative Records Representative's Signature (if applicable):	Date:

## INSTRUCTIONS ON SUBMITTING DI-4003 FOR PROCESSING AND WHAT TO EXPECT NEXT

1. After you have completed the DI-4003 form, please review it one final time prior to submission to ensure accuracy because an incomplete form will cause delays in processing your audit request.
2. Submit completed DI-4003 form and a copy of your approved DI-4008 to Ms. Scotti Spencer at [Scotti\\_Spencer@ios.doi.gov](mailto:Scotti_Spencer@ios.doi.gov).
3. All DI-4003's **MUST** be pre-approved by the [appropriate office](#). The Discovery and Collection Team will not accept or process unapproved DI-4003's and cannot obtain approvals for you. The employee has the sole responsibility of obtaining ALL approvals and submitting them with the DI-4003. No exceptions.
4. Once a DI-4003 is submitted, it cannot be altered by the eERDMS Discovery and Collections Team; however, you may revise a DI-4003 by submitting a new DI-4003 with Questions 12a through 12c completed.
5. Please plan accordingly because most DI-4003's cannot be quickly processed. Audit requests take time to run, process, and compile for delivery. **As a direct result of the volume of audit requests received, a minimum of five (5) business days turnaround can be expected once the collection has started, not when the DI-4003 is received.**
6. Audit requests will only be delivered to the recipient in Section 4. The recipient must be a U.S. Department of the Interior employee or approved Federal agency contact.
7. Please visit the [eERDMS Discovery and Collections Dashboard](#) to track the status of your audit request(s).

**Custodian E-mail Information** (send a Microsoft Excel/Word file, if more custodian e-mails are needed than space permits).

E-mail Address*	E-mail Information	Variant Names (if applicable)
11f.	11f. <input type="checkbox"/> Sender <input type="checkbox"/> Recipient <input type="checkbox"/> Include Variant Names	11f.
11g.	11g. <input type="checkbox"/> Sender <input type="checkbox"/> Recipient <input type="checkbox"/> Include Variant Names	11g.
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E-mail Address*	E-mail Information	Variant Names (if applicable)
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**Additional Search Criteria – Keywords**

**Additional Search Criteria – Keywords (continued)**



## RULES OF BEHAVIOR FOR THE EMAIL ENTERPRISE RECORDS AND DOCUMENT MANAGEMENT SYSTEM (EERDMS)

### Section 1: Terms of Agreement

As a U.S. Department of the Interior (DOI) computer network user, you must understand and agree to these rules of behavior prior to being granted access to the eMail Enterprise Records and Document Management System (eERDMS). The eERDMS provides you access to departmental information that may be subject to, including but not limited to: the Privacy Act, the Federal Records Act, and court ordered litigation holds. Access to eERDMS may include managing, uploading, downloading, transferring, collecting, searching, distributing, creating content, and/or printing.

You are accountable for your actions and are responsible for ensuring the security of the eERDMS and the information it contains. Upon being granted access to eERDMS information, you shall be held responsible for any damages caused to the U.S. Department of the Interior and eERDMS information either through your negligence or willful act. Failure to follow these rules may result in legal and/or disciplinary action up to and including termination of employment. These rules of behavior apply to all eERDMS users. Your actions are tracked in the eERDMS auditing system.

The required annual Federal Information Systems Security Awareness + Privacy and Records Management (FISSA+ Privacy and RM) training provides additional background to fully understand these rules, as well as your responsibilities.

As a DOI eERDMS system user, I will:

1. Successfully complete the initial and annual FISSA+ Privacy and RM training before accessing the eERDMS.
2. Handle and maintain all information and system outputs in accordance with the provisions of the Privacy Act, the Federal Records Act, plus all other applicable laws and regulations; in addition, all Federal and departmental policies for safeguarding Personally Identifiable Information, information classifications, and records management requirements.
3. Refrain from viewing or collecting any information beyond the scope of my authorization or need to know.
4. Ensure the security of eERDMS information.
5. Not share passwords and/or my DOI Access card Personal Identification Number for eERDMS.
6. Not use eERDMS information for activities that are illegal and/or inappropriate.
7. Not attempt to connect other DOI personnel to the eERDMS system without appropriate authorization.
8. Not post, export, transfer, duplicate, or share eERDMS information without prior appropriate authorization.
9. Not attempt to alter and/or disable the eERDMS, configurations, and security settings without prior appropriate authorization.
10. Not attempt to delete or alter any information not contained within your individual workspace.
11. Immediately report suspect computer security incidents, privacy incidents, loss or destruction of Federal records, equipment, keys and/or DOI Access card by following my Department, Bureau, and/or Office incident response procedures.

### Section 2: System Access Information

\*required fields

System Access Requested (select all that apply)\*: ☐ eDiscovery and Collections ☐ eERDMS-ECS ☐ eERDMS-EES

### Section 3: Signature and Approval

\*required fields

By signing below, I acknowledge that I have read, understand, and agree to abide by these rules of behavior for the eERDMS users. I also understand that failure to abide by these rules of behavior may result in disciplinary action.

User's Full Name\*: Valerie J Shaw

User's Bureau/Office/Company\*: DOI-BLM/Idaho State Office

User's Signature\*:

Date Signed\*: March 28, 2018

Records Officer/Accountable Bureau Official Full Name\*: Corey J. Wells

Title\*: Bureau Records Officer

Signature\*:

Bureau/Office\*: BLM

Date Signed\*: 3/28/2018

**NOTE:** Manual, physical or digital signatures with approved HSPD-12 are allowed on this form.

Please return this document to the eERDMS Security Administrator, Mr. Douglas Barbee, or Departmental Records Officer, Mr. David Alspach via electronic mail at: [Douglas.Barbee@ios.doi.gov](mailto:Douglas.Barbee@ios.doi.gov) or [David.Alspace@ios.doi.gov](mailto:David.Alspace@ios.doi.gov).

**Western  
Values  
Project**



704C East 13th Street, Suite 568  
Whitefish, MT 59937  
406-438-1918

RECEIVED

MAR 27 2018

BLM ISO  
FOIA OFFICE

Bureau of Land Management  
Headquarters Office  
E-Mail: [blm\\_wo\\_foia@blm.gov](mailto:blm_wo_foia@blm.gov)

February 23, 2018

**FOIA REQUEST**

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of the following records held by the Bureau of Land Management:

- All notes, briefing materials, slideshows, PowerPoint presentations, memorandums, or other documents used to prepare for or used during, or any audio or video recordings that recorded the Bureau of Land Management Executive Leadership Team Meeting that took place in Denver on July 12 and 13, 2017, as referenced by Wyoming State Director Mary Jo Rugwell's attached email.
- All correspondence, including but not limited to, letters, texts, emails, and faxes, to or from, Michael Nedd, Howard Hedrick, Kathleen Benedetto, Jeff Brune, Gordon Toevs, Vicki Herren, John Ruhs, Karen Kelleher, Kristin Bail, Joseph Stout, Heather Bernier, all BLM staff at the address [blm\\_elt@blm.gov](mailto:blm_elt@blm.gov), and all members of the Executive Leadership Team, concerning the Executive Leadership Team meeting in Denver on July 12<sup>th</sup> and 13<sup>th</sup>, 2007.

"All correspondence" should include, but not be limited to, copies of digital and hardcopy information sent by, sent to, carbon copying ("CC"), or blind carbon copying ("BCC") any of these individuals during this time period.

**Fee Waiver Request**

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a

significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).<sup>1</sup>

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”<sup>2</sup> The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

### **Conclusion**

If possible, I would prefer to receive this information electronically via e-mail at [csaeger@westernvaluesproject.org](mailto:csaeger@westernvaluesproject.org).

If you have questions or need additional information from me, please feel free to call me at (406) 438-1918.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

---

<sup>1</sup> See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

<sup>2</sup> 5 U.S.C. § 552(a)(4)(A)(iii)



Chris Saeger  
Executive Director  
Western Values Project



Claypool, Larry <lclaypoo@bim.gov>

## Summary of the July ELT Meeting

1 message

Mary Jo Rugwell <mrugwell@blm.gov>

To: blm\_wy\_wlt@blm.gov

Tue, Jul 25, 2017 at 10:42 AM

## WLT Colleagues -

I am providing my notes from the mid-July meeting. This is for your information only. Please let me know if you have any questions and thanks!

July 2017 ELT Meeting - Denver, CO, July 12, 2017

John kicked off the meeting. It is a time of transition: changing priorities, changing directions, reorganization, and personnel changes. He urged everyone to communicate our common mission and values to our employees at all times.

Mike thanked all of those who are stepping up as Acting in any capacity. Bill Woody introduced himself and then everyone introduced themselves to him. He has already engaged with the Western States Sheriffs Association. He will be meeting with sheriffs in Utah after the meeting. He has existing relationships with many local law enforcement entities, so that will be very helpful. They will be organizing a Public Lands Law Enforcement meeting in the near future.

Mike said that Kathy Benedetto will be attending the meeting on Wednesday. Mike said that he had lunch with Kate and she stated that the BLM has a lot more going on than many other bureaus. Mike urged us to do all we can to spend time with folks from the Department when they are in our area. He urged us to pay close attention to the documents that we send in to ensure that things are consistent with the administration's priorities. If decisions have components that are remnants of the previous administration's priorities, we need to be able to explain why clearly.

Jamie made the presentation from the BLM Reform Team. She said that the team desires to be in a position where we can help to chart our own destiny. She began by outlining the expectations for the afternoon's session. The President, OMB and the Secretary have stated repeatedly that there will be significant organization changes in the structure of government agencies. Jamie provided details of the Secretary's vision. Generally, organization would be based on watersheds (10-13 different areas). We then did the brainstorming "post-it" note exercise to identify the impacts of a reduced budget. Jamie then covered the major topics for ELT conversation. We did an exercise where small groups drew regional boundaries on a blank map. Mike discussed the Secretary's unified command idea. He said it doesn't mean that the organizations go away, but that leadership happens across the organizational boundaries through a board. We then did an activity where we identified the benefits and challenges of the regional and unified command ideas using the "post-it" note exercise. Jamie asked for ideas on how to put together information for Mike to use in talking to the Secretary of the Interior (map, talking points, etc.). The next task was to determine what tasks should remain in the Directorates and what tasks could be delegated elsewhere. We began with a list that WO200 had developed, added to it and then went through each item to determine if it was really a Washington, DC task. Janine and Howard then presented a draft of NOC functions and how they would either stay at the NOC or be distributed elsewhere. The Field Committee will be tasked with providing a recommendation on the NOC function white paper draft. ELT needs to give feedback to the Field Committee by 7/19. We then discussed how to help streamline State Office functions.



10/11/2017

DEPARTMENT OF THE INTERIOR Mail - Summary of the July ELT Meeting

**Mary Jo Rugwell**

000071

State Director  
Bureau of Land Management  
Wyoming State Office  
5353 Yellowstone Road  
Cheyenne, WY 82009  
Office: (307) 775-6001  
Cell: (307) 214-9434  
Fax: (307) 775-6003

Sent from my iPad

# Conversation Contents

Re: Invitation: Further Augmented Awareness Discussion @ Tue Apr 3, 2018  
10:15am - 11:15am (EDT) (rwitt@blm.gov)

**"Witt, Ryan" <rwitt@blm.gov>**

---

**From:** "Witt, Ryan" <rwitt@blm.gov>  
**Sent:** Fri Mar 23 2018 12:27:41 GMT-0600 (MDT)  
**To:** Cindy Cafaro <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Invitation: Further Augmented Awareness Discussion @ Tue Apr 3, 2018 10:15am - 11:15am (EDT) (rwitt@blm.gov)

Hi Cindy,

I have a management meeting every Tuesday at this same time that I can't miss. Any chance we could move this to after 11am?

Ryan Witt  
Acting Division Chief - External Affairs  
Bureau of Land Management

Direct: (202) 912-7562  
Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

On Fri, Mar 23, 2018 at 2:00 PM, Cindy Cafaro <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

## Further Augmented Awareness Discussion

[more details »](#)

To join the session by phone: (b) (5) passcode: (b) (5)

When Tue Apr 3, 2018 10:15am – 11:15am Eastern Time

Video call (b) (5)

Calendar [rwitt@blm.gov](mailto:rwitt@blm.gov)

Who

- [cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov) - organizer
- [charis\\_wilson@nps.gov](mailto:charis_wilson@nps.gov)
- [clarice\\_julka@ios.doi.gov](mailto:clarice_julka@ios.doi.gov)
- [carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)
- [bmay@usgs.gov](mailto:bmay@usgs.gov)
- [natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)
- [dorothy.tinker@bsee.gov](mailto:dorothy.tinker@bsee.gov)
- [mescobar@usbr.gov](mailto:mescobar@usbr.gov)
- [lance.purvis@sol.doi.gov](mailto:lance.purvis@sol.doi.gov)
- [stefanie\\_jewett@doioig.gov](mailto:stefanie_jewett@doioig.gov)
- [jessica.rogers@bia.gov](mailto:jessica.rogers@bia.gov)
- [oawoniyi@osmre.gov](mailto:oawoniyi@osmre.gov)
- [rwitt@blm.gov](mailto:rwitt@blm.gov)
- [robert\\_howarth@ios.doi.gov](mailto:robert_howarth@ios.doi.gov) - optional

Going? **Yes** - **Maybe** - **No** [more options »](#)



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You are receiving this email at the account [rwitt@blm.gov](mailto:rwitt@blm.gov) because you are subscribed for invitations on calendar [rwitt@blm.gov](mailto:rwitt@blm.gov).

To stop receiving these emails, please log in to <https://www.google.com/calendar/> and change your notification settings for this calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#).

## "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Fri Mar 23 2018 12:28:31 GMT-0600 (MDT)  
**To:** "Witt, Ryan" <rwitt@blm.gov>  
**Subject:** Re: Invitation: Further Augmented Awareness Discussion @ Tue Apr 3, 2018 10:15am - 11:15am (EDT) (rwitt@blm.gov)

I'm sorry, I can't. Can you send a representative?

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Fri, Mar 23, 2018 at 2:27 PM, Witt, Ryan <[rwitt@blm.gov](mailto:rwitt@blm.gov)> wrote:

Hi Cindy,

I have a management meeting every Tuesday at this same time that I can't miss. Any chance we could move this to after 11am?

Ryan Witt  
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Bureau of Land Management

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[more details »](#)

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Video call (b) (5)

Calendar [rwitt@blm.gov](mailto:rwitt@blm.gov)

Who

- [cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov) - organizer
- [charis\\_wilson@nps.gov](mailto:charis_wilson@nps.gov)
- [clarice\\_julka@ios.doi.gov](mailto:clarice_julka@ios.doi.gov)
- [carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)
- [bmay@usgs.gov](mailto:bmay@usgs.gov)
- [natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)
- [dorothy.tinker@bsee.gov](mailto:dorothy.tinker@bsee.gov)
- [mescobar@usbr.gov](mailto:mescobar@usbr.gov)

- 
- [lance.purvis@sol.doi.gov](mailto:lance.purvis@sol.doi.gov)
- [stefanie.jewett@doioig.gov](mailto:stefanie.jewett@doioig.gov)
- [jessica.rogers@bia.gov](mailto:jessica.rogers@bia.gov)
- [oawoniyi@osmre.gov](mailto:oawoniyi@osmre.gov)
- [rwitt@blm.gov](mailto:rwitt@blm.gov)
- [robert.howarth@ios.doi.gov](mailto:robert.howarth@ios.doi.gov) - optional

Going? [Yes](#) - [Maybe](#) - [No](#) [more options »](#)

Invitation from [Google Calendar](#)

You are receiving this email at the account [rwitt@blm.gov](mailto:rwitt@blm.gov) because you are subscribed for invitations on calendar [rwitt@blm.gov](mailto:rwitt@blm.gov).

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## "Witt, Ryan" <[rwitt@blm.gov](mailto:rwitt@blm.gov)>

**From:** "Witt, Ryan" <[rwitt@blm.gov](mailto:rwitt@blm.gov)>  
**Sent:** Fri Mar 23 2018 12:30:19 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Invitation: Further Augmented Awareness Discussion @ Tue Apr 3, 2018 10:15am - 11:15am (EDT) ([rwitt@blm.gov](mailto:rwitt@blm.gov))

Let me see if I can work it the other way around and send someone to cover the BLM meeting.

Ryan Witt  
 Acting Division Chief - External Affairs  
 Bureau of Land Management

Direct: (202) 912-7562  
 Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

On Fri, Mar 23, 2018 at 2:28 PM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:  
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- [clarice\\_julka@ios.doi.gov](mailto:clarice_julka@ios.doi.gov)
- [carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)
- [bmay@usgs.gov](mailto:bmay@usgs.gov)
- [natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)
- [dorothy.tinker@bsee.gov](mailto:dorothy.tinker@bsee.gov)
- [mescobar@usbr.gov](mailto:mescobar@usbr.gov)
- [lance.purvis@sol.doi.gov](mailto:lance.purvis@sol.doi.gov)
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**"Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>**

**From:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Sent:** Fri Mar 23 2018 12:31:25 GMT-0600 (MDT)  
**To:** "Witt, Ryan" <[rwitt@blm.gov](mailto:rwitt@blm.gov)>  
**Subject:** Re: Invitation: Further Augmented Awareness Discussion @ Tue Apr 3, 2018 10:15am - 11:15am (EDT) ([rwitt@blm.gov](mailto:rwitt@blm.gov))

Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

OS-2018-00959-00505



Direct: 202-208-5342 | Main: 202-208-3181

On Fri, Mar 23, 2018 at 2:30 PM, Witt, Ryan <[rwitt@blm.gov](mailto:rwitt@blm.gov)> wrote:

Let me see if I can work it the other way around and send someone to cover the BLM meeting.

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Bureau of Land Management

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- [mescobar@usbr.gov](mailto:mescobar@usbr.gov)
- [lance.purvis@sol.doi.gov](mailto:lance.purvis@sol.doi.gov)
- [stefanie\\_jewett@doioig.gov](mailto:stefanie_jewett@doioig.gov)
- [jessica.rogers@bia.gov](mailto:jessica.rogers@bia.gov)

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# Conversation Contents

Re: Question re: FOIA Improvement Act of 2016 - Thank you!

**"Fisher, Diana" <dmfisher@blm.gov>**

---

**From:** "Fisher, Diana" <dmfisher@blm.gov>  
**Sent:** Wed Nov 01 2017 08:51:54 GMT-0600 (MDT)  
**To:** Cindy Cafaro <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Question re: FOIA Improvement Act of 2016 - Thank you!

Good Morning & Happy Wednesday Cindy,

Thank you so much for always being so prompt and helpful. I always want to ensure that my understanding of the Act is accurate, so your input, guidance, and leadership is greatly valued and tremendously appreciated.

I hope you're doing well and having a marvelous autumn. 🍁 It's hard to believe that it's already November 1st.

Cheers to you and yours! ☺

Best regards,

Diana Fisher  
FOIA & Privacy Act Officer  
Bureau of Land Management | Oregon State Office  
POB 2965 | Portland, OR 97208  
T: 503.808.6435 | F: 503.808.6615  
[dmfisher@blm.gov](mailto:dmfisher@blm.gov) | [blm\\_or\\_so.gov/foia](http://blm_or_so.gov/foia)

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On Wed, Nov 1, 2017 at 7:20 AM, Yingling, Tamara <[tyinglin@blm.gov](mailto:tyinglin@blm.gov)> wrote:

I remember in (many) years past, we would have regular data calls asking us the number of documents and pages that we discretionarily released. Even though the data calls ceased, we still continued to process requests looking at whether a record could be released, even though it technically fell under one of the 9 exemptions (such as deliberative process). If the subject matter expert determined there would be no foreseeable harm in release of the document, we released it and called it a discretionary release. We made our solicitors aware of this fact, in case they wanted to review the document, and also included verbiage in our response letters stating that we making a discretionary release of documents which could have been withheld, but for which there was no foreseeable harm in their release. It sounds like we no longer have to track these types of releases, don't have to send them to our solicitors, and don't have to document their release in the response letter, which is good news and less work.

Thanks for the clarification.

Tamara Yingling  
Records, FOIA, and Data Section Chief  
Oregon/Washington  
503-808-6450  
971-271-4414 cell  
[tyinglin@blm.gov](mailto:tyinglin@blm.gov)



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On Wed, Nov 1, 2017 at 6:16 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Hi, Sally. If there is no foreseeable harm, we do not have discretion--we can't protect the record. But the foreseeable harm analysis is one more layer of analysis, not one less, so I'm not sure I fully understand your question.  
Should we chat? Thanks.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Nov 1, 2017 at 9:11 AM, Sheeks, Sally <[ssheeks@blm.gov](mailto:ssheeks@blm.gov)> wrote:

I think I am still trying to see that basically there are no more options for what we referred to as discretionary release.

It would reduce our processing and review of documents if this is truly the case.

Sally Sheeks

Government Information Specialist (FOIA/Privacy Act Officer)  
**Bureau of Land Management | Oregon State Office**  
POB 2965 | Portland OR 97208 | T: 503.808.6430 | F: 503.808.6615  
[mailto:ssheeks@blm.gov](mailto:mailto:ssheeks@blm.gov) | [blm\\_or\\_so\\_foia@blm.gov](mailto:blm_or_so_foia@blm.gov)

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On Wed, Nov 1, 2017 at 4:18 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

OS-2018-00959-00509

Direct: 202-208-5342 | Main: 202-208-3181

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I have a quick question regarding the FOIA Improvement Act of 2016. It's my understanding that the improvement act codified that agencies shall withhold information only if:

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We greatly appreciate your time and help. Thanks so much!

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Have a fantastic day!

Best regards,

Diana Fisher  
FOIA & Privacy Act Officer  
Bureau of Land Management | Oregon State Office  
POB 2965 | Portland, OR 97208  
T: 503.808.6435 | F: 503.808.6615  
[dmfisher@blm.gov](mailto:dmfisher@blm.gov) | [blm](#) or [so](#) [f<wbr>oia@blm.gov](mailto:f<wbr>oia@blm.gov)

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Please note that statutes prevail over regulations and other agency guidance, so any provisions that are inconsistent with the Act are out of date and will be updated as soon as possible.

Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department  
OS-2018-00959-00510

of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

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Date: Thu, Jun 30, 2016 at 6:49 PM

Subject: President Obama Signs FOIA Improvement Act of 2016

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Thank you for your continued work in implementing the FOIA and we hope you have an enjoyable holiday weekend.

Sincerely,  
OIP

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**"Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>**

**From:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Sent:** Wed Nov 01 2017 09:20:22 GMT-0600 (MDT)  
**To:** "Fisher, Diana" <[dmfisher@blm.gov](mailto:dmfisher@blm.gov)>  
**Subject:** Re: Question re: FOIA Improvement Act of 2016 - Thank you!

OS-2018-00959-00511

Thank you, Diana! I really appreciate your kind words (and your wonderful questions)!

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Nov 1, 2017 at 10:51 AM, Fisher, Diana <[dmfisher@blm.gov](mailto:dmfisher@blm.gov)> wrote:

Good Morning & Happy Wednesday Cindy,

Thank you so much for always being so prompt and helpful. I always want to ensure that my understanding of the Act is accurate, so your input, guidance, and leadership is greatly valued and tremendously appreciated.

I hope you're doing well and having a marvelous autumn. 🍁 It's hard to believe that it's already November 1st.

Cheers to you and yours! ☺

Best regards,

Diana Fisher  
FOIA & Privacy Act Officer  
Bureau of Land Management | Oregon State Office  
POB 2965 | Portland, OR 97208  
T: 503.808.6435 | F: 503.808.6615  
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On Wed, Nov 1, 2017 at 7:20 AM, Yingling, Tamara <[tyinglin@blm.gov](mailto:tyinglin@blm.gov)> wrote:

I remember in (many) years past, we would have regular data calls asking us the number of documents and pages that we discretionarily released. Even though the data calls ceased, we still continued to process requests looking at whether a record could be released, even though it technically fell under one of the 9 exemptions (such as deliberative process). If the subject matter expert determined there would be no foreseeable harm in release of the document, we released it and called it a discretionary release. We made our solicitors aware of this fact, in case they wanted to review the document, and also included verbiage in our response letters stating that we making a discretionary release of documents which could have been withheld, but for which there was no foreseeable harm in their release. It sounds like we no longer have to track these types of releases, don't have to send them to our solicitors, and don't have to document their release in the response letter, which is good news and less work.

Thanks for the clarification.

Tamara Yingling  
Records, FOIA, and Data Section Chief  
Oregon/Washington  
503-808-6450  
971-271-4414 cell  
[tyinglin@blm.gov](mailto:tyinglin@blm.gov)

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On Wed, Nov 1, 2017 at 6:16 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Hi, Sally. If there is no foreseeable harm, we do not have discretion--we can't protect the record.

OS-2018-00959-00512

But the foreseeable harm analysis is one more layer of analysis, not one less, so I'm not sure I fully understand your question.  
Should we chat? Thanks.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Nov 1, 2017 at 9:11 AM, Sheeks, Sally <[ssheeks@blm.gov](mailto:ssheeks@blm.gov)> wrote:

I think I am still trying to see that basically there are no more options for what we referred to as discretionary release.

It would reduce our processing and review of documents if this is truly the case.

Sally Sheeks

Government Information Specialist (FOIA/Privacy Act Officer)  
**Bureau of Land Management | Oregon State Office**  
POB 2965 | Portland OR 97208 | T: 503.808.6430 | F: 503.808.6615  
<mailto:ssheeks@blm.gov> | [blm\\_or\\_so\\_foia@blm.gov](mailto:blm_or_so_foia@blm.gov)

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OS-2018-00959-00514



holiday.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US  
Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

----- Forwarded message -----

From: **DOJ.OIP.FOIA (SMO)** <[DOJ.OIP.FOIA@usdoj.gov](mailto:DOJ.OIP.FOIA@usdoj.gov)>

Date: Thu, Jun 30, 2016 at 6:49 PM

Subject: President Obama Signs FOIA Improvement Act of 2016

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# Conversation Contents

Question re: FOIA Improvement Act of 2016

**"Fisher, Diana" <dmfisher@blm.gov>**

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**Sent:** Tue Oct 31 2017 14:48:25 GMT-0600 (MDT)  
**To:** Cindy Cafaro <cindy\_cafaro@ios.doi.gov>, Ryan Witt <rwitt@blm.gov>  
**CC:** "Yingling, Tamara" <tyinglin@blm.gov>, "Sheeks, Sally" <ssheeks@blm.gov>, "Haselby, Aaron" <ahaselby@blm.gov>  
**Subject:** Question re: FOIA Improvement Act of 2016

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Date: Thu, Jun 30, 2016 at 6:49 PM

Subject: President Obama Signs FOIA Improvement Act of 2016

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Sincerely,  
OIP

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**"Sheeks, Sally" <ssheeks@blm.gov>**

---

**From:** "Sheeks, Sally" <ssheeks@blm.gov>  
**Sent:** Wed Nov 01 2017 07:11:47 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**CC:** "Fisher, Diana" <dmfisher@blm.gov>, Ryan Witt <rwitt@blm.gov>, "Yingling, Tamara" <tyinglin@blm.gov>, "Haselby, Aaron" <ahaselby@blm.gov>  
**Subject:** Re: Question re: FOIA Improvement Act of 2016

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**Sent:** Wed Nov 01 2017 07:16:09 GMT-0600 (MDT)  
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"Fisher, Diana" <[dmfisher@blm.gov](mailto:dmfisher@blm.gov)>, Ryan Witt <[rwitt@blm.gov](mailto:rwitt@blm.gov)>,

OS-2018-00959-00522

**CC:** "Yingling, Tamara" <tyinglin@blm.gov>, "Haselby, Aaron" <aahaselby@blm.gov>

**Subject:** Re: Question re: FOIA Improvement Act of 2016

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OS-2018-00959-00525

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OS-2018-00959-00527

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

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From: **DOJ.OIP.FOIA (SMO)** <[DOJ.OIP.FOIA@usdoj.gov](mailto:DOJ.OIP.FOIA@usdoj.gov)>

Date: Thu, Jun 30, 2016 at 6:49 PM

Subject: President Obama Signs FOIA Improvement Act of 2016

To:

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OIP

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**"Yingling, Tamara" <[tyinglin@blm.gov](mailto:tyinglin@blm.gov)>**

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**Sent:** Wed Nov 01 2017 08:20:24 GMT-0600 (MDT)  
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"Sheeks, Sally" <[ssheeks@blm.gov](mailto:ssheeks@blm.gov)>, "Fisher, Diana" <[dmfisher@blm.gov](mailto:dmfisher@blm.gov)>, Ryan Witt <[rwitt@blm.gov](mailto:rwitt@blm.gov)>, "Haselby, Aaron" <[ahaselby@blm.gov](mailto:ahaselby@blm.gov)>  
**CC:**  
**Subject:** Re: Question re: FOIA Improvement Act of 2016

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expert determined there would be no foreseeable harm in release of the document, we released it and called it a discretionary release. We made our solicitors aware of this fact, in case they wanted to review the document, and also included verbiage in our response letters stating that we making a discretionary release of documents which could have been withheld, but for which there was no foreseeable harm in their release. It sounds like we no longer have to track these types of releases, don't have to send them to our solicitors, and don't have to document their release in the response letter, which is good news and less work.

Thanks for the clarification.

Tamara Yingling  
Records, FOIA, and Data Section Chief  
Oregon/Washington  
503-808-6450  
971-271-4414 cell  
[tyinglin@blm.gov](mailto:tyinglin@blm.gov)

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It would reduce our processing and review of documents if this is truly the case.

Sally Sheeks  
Government Information Specialist(FOIA/Privacy Act Officer)  
**Bureau of Land Management | Oregon State Office**  
POB 2965 | Portland OR 97208 | T: 503.808.6430 | F: 503.808.6615  
[mailto:ssheeks@blm.gov](mailto:mailto:ssheeks@blm.gov) | [blm\\_or\\_so\\_foia@blm.gov](mailto:blm_or_so_foia@blm.gov)

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Hi, Diana. As you know, the FOIA generally gives people the right to request federal agency records and requires agencies to make records responsive to requests promptly available. However, the FOIA has nine exemptions to its general rule of mandatory disclosure. Before the 2016 amendments to the FOIA, some administrations held that if one or more of the nine FOIA exemptions applied to a responsive agency record, the analysis was over and the record should be withheld. Other administrations adopted an additional policy requirement, requiring the agency seeking to withhold a responsive agency record to not only identify a FOIA exemption that applied to the record (or portion of the record), but also to reasonably foresee that the disclosure of the record (or portion of the record)

OS-2018-00959-00529

would harm an interest protected by that exemption. The FOIA Improvement Act of 2016 adopted this formerly administrative requirement and made it statutory. Therefore, identifying a FOIA exemption that applies to a responsive agency record is not the end of our FOIA analysis. For example, a requested record might be an inter- or intra-agency draft. The process by which a document evolves from a draft into a final document is inherently deliberative and Exemption 5's deliberative process privilege would generally apply. However, before we can properly withhold a particular draft under Exemption 5's deliberative process privilege, we must consider whether the release of that particular draft (given its age, content, and character) would harm an interest protected by Exemption 5 (for example, confusion of the public or having a chilling effect on internal agency deliberations). If we do not reasonably foresee the disclosure of an agency record (or portion of an agency record) would harm an interest protected by the exemption that applies to the record, we cannot withhold it (unless, as you note, the disclosure is prohibited by law).

Does this help? I've been working on foreseeable harm guidance and hope it will be out soon (I am working through what may be the last stage of SOL review).

Thanks.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, Oct 31, 2017 at 4:48 PM, Fisher, Diana <[dmfisher@blm.gov](mailto:dmfisher@blm.gov)> wrote:

Hello Cindy & Ryan,

I have a quick question regarding the FOIA Improvement Act of 2016. It's my understanding that the improvement act codified that agencies shall withhold information only if:

1. the agency reasonably foresees that disclosure would harm an interest protected by the exemptions; or
2. disclosure is prohibited by law (i.e. under exemption 3)

As such, we are required to release the records unless we can reasonably foresee specific harm. Because we have to make a specific determination that either it must be released because we don't foresee harm or it's not releasable because we can foresee harm in doing so, this part of the improvement act negates discretionary releases.

We greatly appreciate your time and help. Thanks so much!

Of course we are still obligated to segregate releasable portions of records (unless they are inextricably intertwined, etc.), but more than anything else, your input on this is much appreciated.

Have a fantastic day!

Best regards,

Diana Fisher  
FOIA & Privacy Act Officer  
Bureau of Land Management | Oregon State Office  
POB 2965 | Portland, OR 97208  
T: 503.808.6435 | F: 503.808.6615  
[dmfisher@blm.gov](mailto:dmfisher@blm.gov) | [blm\\_or\\_so\\_f@blm.gov](mailto:blm_or_so_f@blm.gov)

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Among other things, the Act will: codify the foreseeable harm test, limit the time period for using the deliberative process privilege to 25 years after a record's creation, allow requesters 90 days to file appeals, and further limit agencies' ability to charge fees when processing deadlines are missed.

As noted below, the Act was enacted on June 30th, when President Obama signed it.

By the Act's own terms, it applies to any FOIA request made on or after July 1st.

*Please familiarize yourself with the changes caused by the Act and be sure to apply the Act's provisions to all requests that came in on or after July 1st.* For example, if a FOIA request arrived on July 1st and you are denying a fee waiver request, you must give the requester 90 workdays to appeal, rather than 30 workdays. You will find a link to the current version of the FOIA, showing changes made by the Act, through the DOJ link below and on our FOIA Guidance page at: <https://www.doi.gov/foia/news/guidance>

Please note that statutes prevail over regulations and other agency guidance, so any provisions that are inconsistent with the Act are out of date and will be updated as soon as possible.

Thanks again.

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Thank you for your continued work in implementing the FOIA and we hope you have an enjoyable holiday weekend.

Sincerely,  
OIP



"Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>

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**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Wed Nov 01 2017 09:18:20 GMT-0600 (MDT)  
**To:** "Yingling, Tamara" <tyinglin@blm.gov>  
**CC:** "Sheeks, Sally" <ssheeks@blm.gov>, "Fisher, Diana" <dmfisher@blm.gov>, Ryan Witt <rwitt@blm.gov>, "Haselby, Aaron" <ahaselby@blm.gov>  
**Subject:** Re: Question re: FOIA Improvement Act of 2016

Hi, Tamara. The subject matter expert piece (when they should be consulted) is a big part of why I currently have a six-page draft with SOL on foreseeable harm guidance. I want to make sure we're being consistent on when we reach out to both the SME and SOL and why we reach out and what we consider. Not to get ahead of myself, but the draft will discuss that if a FOIA exemption applies to a responsive record, you must also determine whether it is reasonably foreseeable that harm to an interest protected by the exemption would result from the disclosure. (Three types of foreseeable harm analysis are discussed in the draft memorandum). The following is a chart from the draft memorandum:

If	Then	And
No FOIA exemption applies to a responsive record	You cannot withhold it	You do not have to consult with SOL, although you can alert people that the record is going to be released
A FOIA exemption applies to a responsive record	You must consider whether (1) foreseeable harm would result from the release of the record or (2) a foreseeable harm analysis is specifically not required	If you believe (1) foreseeable harm would result from the release of the record or (2) that a foreseeable harm analysis is specifically not required, you must consult with SOL <sup>[1]</sup>
		If you (1) do not believe (or are not sure whether) foreseeable harm would result from the release of the record and (2) you believe a foreseeable harm analysis is required, consult with the SME and then you must consult with SOL

[1] If your SOL contact disagrees and believes foreseeable harm may not result from the release of the record and that a foreseeable harm analysis is required, you should then reach out to the SME for input and share that input with your SOL contact.

Please keep in mind the guidance above is not yet the policy of the Department, but it should help provide guidance as you are moving forward with this issue in the interim. If you have any questions, please just let me know.

Thanks again.

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Thanks for the clarification.

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Sincerely,  
OIP



## Conversation Contents

BLM Quarterly Report

Attachments:

/25. BLM Quarterly Report/1.1 Accomplishments Report\_BLM.docx

"Witt, Ryan" <rwitt@blm.gov>

---

**From:** "Witt, Ryan" <rwitt@blm.gov>  
**Sent:** Mon May 07 2018 08:19:47 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** BLM Quarterly Report  
**Attachments:** Accomplishments Report\_BLM.docx

Hi Cindy,

Please see BLM's attached report. Just as an FYI - I am at Main Interior acting for our Deputy Assistant Director of Communications today and tomorrow. Starting Wednesday I will be on annual leave through the end of the week. If you need to get in touch please call my personal cell (b) (6)

Thank you

Ryan Witt  
Acting Division Chief - External Affairs  
Bureau of Land Management

Direct: (202) 912-7562  
Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

## Bureau/Office Accomplishments – FY[18]-Q[2]

1. Please list at least two instances of meaningful proactive disclosures your bureau has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
Wild Horse and Burro Gather and Fertility Control Treatment Schedule	<a href="https://www.blm.gov/programs/wild-horse-and-burro/herd-management/gathers-and-removals/2018-gather-schedule">https://www.blm.gov/programs/wild-horse-and-burro/herd-management/gathers-and-removals/2018-gather-schedule</a>
Updates to completed RMPs	<a href="https://eplanning.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do">https://eplanning.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do</a>
Updates to Oil and Gas Statistics	<a href="https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/oil-and-gas-statistics">https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/oil-and-gas-statistics</a>

2. Did your bureau use any means to publicize or highlight important proactive disclosures for public awareness this quarter? If yes, please describe these steps.

The BLM uses its website's National and State Offices' landing pages to inform the public of new releases of information. It also uses many new media platforms including Twitter to highlight the release of new reports.

## **Bureau/Office Accomplishments – FY[18]-Q[2]**

### **3. Please provide the following:**

- **Number of (a)(2) Records Posted by your bureau's FOIA Office(s) this quarter: Provide the sum of all (a)(2) records posted to your bureau's FOIA webpage(s). This includes (a)(2) records posted in your FOIA Library or anywhere else on your FOIA web pages; and**

**None**

- **Number of (a)(2) Records Posted by your bureau's Program Offices this quarter: Provide an estimate of all (a)(2) records posted to the bureau's non-FOIA web page(s).**

The BLM estimates between 1,200 -1500

### **4. Please provide at least one example of how your bureau has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities) this quarter.**

The BLM has launched an entire new format for its website. It has reorganized its content to be better indexed and more easily searchable. The BLM is highly engaged across several digital platforms Twitter, Tmbler, etc.

### **5. Please discuss your efforts to reduce your backlog this quarter.**

The BLM has on-boarded four, 1 year detailees to the Washington Office. We anticipate this will greatly reduce our backlog in FY'18

## Bureau/Office Accomplishments – FY[18]-Q[2]

**6. Please provide an estimate of how often requesters sought assistance from your FOIA Public Liaison this quarter.**

This quarter the BLM estimates requesters sought assistance once per month

**7. Please discuss your efforts this quarter to close the ten oldest requests your bureau reported in the last FOIA Annual Report.**

The BLM closed 6 of its 8 request from the ten oldest list. Of the remaining two, one is with SOL (Ryan Sklar) for the review and the other is expected to be closed this quarter.

**8. Please discuss your training efforts, including:**

- a. The number of conferences or trainings held;** A monthly all hands training is conducted, an additional training for executive assistants was conducted as well
- b. Who lead the training;** Ryan Witt BLM Acting Chief of External Affairs
- c. A brief description of the topics covered;** Backlog Reduction, Processing, Application of exemption
- d. an estimate of the number of participants from your bureau who were in attendance;** All FOIA POCs
- e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).** All have received training
- f. Whether all bureau employees with FOIA responsibilities have received substantive FOIA training *this fiscal year* (if they have not, please include the percentage of bureau employees with FOIA responsibilities who have and your plans for ensuring they do receive this training *this fiscal year*).** All BLM FOIA employees have received substantive FOIA training.

**Bureau/Office Accomplishments – FY[18]-Q[2]**

**9. Has your bureau fully complied with the Department's FOIA Certification Program this fiscal year? If not, please include how you plan to remedy this deficiency before the end of the fiscal year. BLM is in compliance**



## Conversation Contents

### Awareness Process for FOIA Productions

#### Attachments:

/4. Awareness Process for FOIA Productions/1.1 Awareness Process Memo Final.pdf  
/4. Awareness Process for FOIA Productions/44.1 Awareness Process Memo Final.pdf

**"Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>**

---

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Thu May 24 2018 08:16:00 GMT-0600 (MDT)  
**To:** Robert Howarth <robert\_howarth@ios.doi.gov>  
**BCC:** Cat Sam Cat Contact List <catsamcat\_contact\_list@ios.doi.gov>  
**Subject:** Awareness Process for FOIA Productions  
**Attachments:** Awareness Process Memo Final.pdf

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

**"Yamato, Alison" <alison\_yamato@nps.gov>**

---

**From:** "Yamato, Alison" <alison\_yamato@nps.gov>  
**Sent:** Thu May 24 2018 09:03:09 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>, Charis Wilson <charis\_wilson@nps.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Thanks Cindy,

I am the FOIA Officer for NPS - IMR and I don't often get any Departmental people involved in my FOIAs. However, I honestly wouldn't know all the names of the political appointees. Will the Department keep/distribute a list for FOIA Officers of the names to search for?

Thanks,  
-Alison

On Thu, May 24, 2018 at 8:16 AM, Cafaro, Cindy <cindy\_cafaro@ios.doi.gov> wrote:

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Direct: 202-208-5342 | Main: 202-208-3181

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"Do what you can, with what you have, where you are."  
-Theodore Roosevelt

Alison Yamato  
Government Information Specialist - FOIA Officer - IMR

OS-2018-00959-00542

NPS Intermountain Region  
12795 W Alameda Pkwy  
Lakewood, CO 80228  
303.969.2242 (O)  
303.243.4096 (C)

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**"Wilson, Charis" <charis\_wilson@nps.gov>**

---

**From:** "Wilson, Charis" <charis\_wilson@nps.gov>  
**Sent:** Thu May 24 2018 09:58:30 GMT-0600 (MDT)  
**To:** "Yamato, Alison" <alison\_yamato@nps.gov>  
**CC:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi Alison,

I have a list but it is a bit out of date, so I am checking with my contact to find out if he will be sending out a new one.

C.

---

Ms. Charis Wilson, Ph.D., CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Thu, May 24, 2018 at 9:03 AM, Yamato, Alison <[alison\\_yamato@nps.gov](mailto:alison_yamato@nps.gov)> wrote:

Thanks Cindy,

I am the FOIA Officer for NPS - IMR and I don't often get any Departmental people involved in my FOIAs. However, I honestly wouldn't know all the names of the political appointees. Will the Department keep/distribute a list for FOIA Officers of the names to search for?

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Government Information Specialist - FOIA Officer - IMR

OS-2018-00959-00543

NPS Intermountain Region  
[12795 W Alameda Pkwy](#)  
[Lakewood, CO 80228](#)  
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**"Hyde-Michaels, Carrie" <carrie\_hyde-michaels@fws.gov>**

---

**From:** "Hyde-Michaels, Carrie" <carrie\_hyde-michaels@fws.gov>  
**Sent:** Thu May 24 2018 14:45:23 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Here are my questions after taking a look through.

- 1) When we send the records up, do they want finalized redactions or just the temp redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure.
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About half of what we see in FWS is stuff like that. Then we've also got stuff that very clearly needs to go to either our own Director or ASFWP.

Thank you thank you thank you for this: "If a reviewer does not reply to the FOIA personnel within 72 hours, *his/her silence will be taken as an affirmation that he/she has concluded his/her review.*"

Have a great weekend!

Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
US Fish & Wildlife Service Headquarters  
703-358-2291 (direct)

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

"Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>

---

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Fri May 25 2018 06:12:50 GMT-0600 (MDT)  
**To:** "Hyde-Michaels, Carrie" <carrie\_hyde-michaels@fws.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi, Carrie. Thanks for the great questions. Answers are below in *italics*.

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, May 24, 2018 at 4:45 PM, Hyde-Michaels, Carrie <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)> wrote:  
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OS-2018-00959-00545



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---

**Carrie Hyde-Michaels <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)>**

**From:** Carrie Hyde-Michaels <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)>  
**Sent:** Fri May 25 2018 07:22:31 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

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OS-2018-00959-00546



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Direct: 202-208-5342 | Main: 202-208-3181

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Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
US Fish & Wildlife Service Headquarters  
703-358-2291 (direct)

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OS-2018-00959-00547

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Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

---

**"Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>**

---

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Tue May 29 2018 06:27:28 GMT-0600 (MDT)  
**To:** Carrie Hyde-Michaels <carrie\_hyde-michaels@fws.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Indeed, it is! Thanks, Carrie.

- if the political is named in an email that is being withheld in full ("We were told this is close hold, but today at the meeting David Bernhardt told us to start working on ideas for...) Whole body of that email withheld. That's the only place he appeared. Do we still need to send him the package? *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is redacted in the package.*

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- an email between two FWS employees stating "This is one of the Secretary's priorities" but they don't name the Secretary (but from the dates we can see it's from this administration) or mention him anywhere else. Would that go up? No.

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Carrie Hyde-Michaels  
FWS FOIA Officer

OS-2018-00959-00549



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US Fish & Wildlife Service Headquarters  
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**From:** "Hyde-Michaels, Carrie" <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)>  
**Sent:** Tue May 29 2018 10:56:44 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

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OS-2018-00959-00551

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**From:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Sent:** Tue May 29 2018 11:01:54 GMT-0600 (MDT)  
**To:** "Hyde-Michaels, Carrie" <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)>  
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**Sent:** Tue May 29 2018 13:56:24 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name?

Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
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Thanks! A few more scenarios, just to be sure:

- if the political is named in an email that is being withheld in full ("We were told this is close hold, but today at the meeting David Bernhardt told us to start working on ideas for...") Whole body of that email withheld. That's the only place he appeared. Do we still need to send him the package?

- One email from David Bernhardt, but it was reviewed and found in interim release #6 of 10. He didn't see releases 1-5, totaling 15,000 pages, because they didn't know this email was in there. We've got about 12,000 pages to go after this release. ~30,000 pages total. We're about to make interim release #6. Do we just send him that interim release? Or also everything that already went out? And then for the next 4 interim releases where he's not mentioned again?



- we find an all employee memo signed by the Secretary, but the email transmitting the memo was sent by HR, would that go up?

- an email between two FWS employees stating "This is one of the Secretary's priorities" but they don't name the Secretary (but from the dates we can see it's from this administration) or mention him anywhere else. Would that go up?

- Once they've left DOI that's the end of our obligation right? No difference whether they were escorted out, left quietly, or moved over to USDA?

FOIA is an endless joy!

On May 25, 2018, at 8:12 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Hi, Carrie. Thanks for the great questions. Answers are below in *italics*.

1) When we send the records up, do they want finalized redactions or just the temp redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure. *Yes, finalized redactions.*

2) Looks like footnote 8 is suggesting I would just contact David Bernhardt directly? (Or since it doesn't specify that it should be the Bureau FOIA Officer, then for us that means every random person in California who gets their hands on a FOIA does?) Is that right? We'll all just reach out to whoever's political it happens to be directly? *You have discretion as to whether the contact comes directly from the Action Office or is more centralized within the bureau. (As you know, I prefer centralization) It would not come from random people though; it is the FOIA personnel in the Action Office that has collected the records, reviewed them, and has the redactions reviewed and applied (as needed)—all of which must occur before an awareness review. Non-FOIA personnel would never send up an awareness review.*

3) Do they need to see the outgoing letter as well? The incoming request? Or just the records? *You have discretion. I would include the incoming request as part of the awareness notification.*

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- outgoing letter responding to an inquiry from a member of the public with Secretary Zinke's signature *It is not an email, so it does not go to him.*
- a memo sent to all employees by David Bernhardt *If it was sent via email, it goes to him. Otherwise, it does not.*

About half of what we see in FWS is stuff like that. Then we've also got stuff that very clearly needs to go to either our own Director or ASFWP. *That's fine. This memo doesn't stop your "usual response process," and if those notifications are part of it, no problem.*

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, May 24, 2018 at 4:45 PM, Hyde-Michaels, Carrie <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)> wrote:  
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1) When we send the records up, do they want finalized redactions or just the temp redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure.

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- outgoing letter responding to an inquiry from a member of the public with Secretary Zinke's signature
- a memo sent to all employees by David Bernhardt

About half of what we see in FWS is stuff like that. Then we've also got stuff that very clearly needs to go to either our own Director or ASFWP.

Thank you thank you thank you for this: "If a reviewer does not reply to the FOIA personnel within 72 hours, *his/her silence will be taken as an affirmation that he/she has concluded his/her review.*"

Have a great weekend!

Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
US Fish & Wildlife Service Headquarters  
703-358-2291 (direct)

On Thu, May 24, 2018 at 10:16 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

---

"Litman, Jennifer" <[jlitman@blm.gov](mailto:jlitman@blm.gov)>

**From:** "Litman, Jennifer" <[jlitman@blm.gov](mailto:jlitman@blm.gov)>  
**Sent:** Tue May 29 2018 16:44:07 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi Cindy,  
Thank you for the guidance. I'm a little out of the "know" when it comes to staffing I admit. In short, how far up the chain on DOI/BLM does this affect us? If I am reading this correctly, it means White House level personnel/staffers, etc. and not so much DOI personnel, Zinke being the exception?

Thank you.

**Jennifer Litman**  
Government Information Specialist  
DOI Bureau of Land Management Wyoming State Office  
T: 307.775.6180

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OS-2018-00959-00557

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

---

**"Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>**

---

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Wed May 30 2018 05:34:47 GMT-0600 (MDT)  
**To:** "Hyde-Michaels, Carrie" <carrie\_hyde-michaels@fws.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi, Carrie. If your director is a PAS, NCSE, or Schedule C, it goes to him. If not, no.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, May 29, 2018 at 3:56 PM, Hyde-Michaels, Carrie <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)> wrote:

What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name?

Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
US Fish & Wildlife Service Headquarters  
703-358-2291 (direct)

On Tue, May 29, 2018 at 1:01 PM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Right!

Thanks again. These are great questions and I'm going to be using them to make a Q&A for the larger group.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, May 29, 2018 at 12:56 PM, Hyde-Michaels, Carrie <[carrie\\_hyde-michaels@fws.gov](mailto:carrie_hyde-michaels@fws.gov)> wrote:

Thanks, very helpful. Last question - it looks like we are only concerned with emails and attachments to emails. So if something went through DTS and we locate it in DTS, but not in the email system, it does not need to go up through the awareness process no matter whose name appears in the document or who signed it?

Thanks,  
Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
US Fish & Wildlife Service Headquarters  
703-358-2291 (direct)

On Tue, May 29, 2018 at 8:27 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Indeed, it is! Thanks, Carrie.

- if the political is named in an email that is being withheld in full ("We were told this is close hold, but today at the meeting David Bernhardt told us to start working on ideas for...) Whole body of that email withheld. That's the only place he appeared. Do we still need to send him the package? *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is redacted in the package.*

- One email from David Bernhardt, but it was reviewed and found in interim release #6 of 10. He didn't see releases 1-5, totaling 15,000 pages, because they didn't know this email was in there. We've got about 12,000 pages to go after this release. ~30,000 pages total. We're about to make interim release #6. Do we just send him that interim release? Or also everything that already went out? And then for the next 4 interim releases where he's not mentioned again? *The package for release #6 goes to him. I would let him know it is release #6 and more releases are anticipated, but would not send the earlier (or later) packages unless requested to do so.*

- we find an all employee memo signed by the Secretary, but the email transmitting the memo was sent by HR, would that go up? *Yes.*

- an email between two FWS employees stating "This is one of the Secretary's priorities" but they don't name the Secretary (but from the dates we can see it's from this administration) or mention him anywhere else. Would that go up? *No.*

- Once they've left DOI that's the end of our obligation right? No difference whether they were escorted out, left quietly, or moved over to USDA? *Yes.*



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Carrie Hyde-Michaels  
FWS FOIA Officer  
Chief, Branch of FOIA, Records, Privacy  
US Fish & Wildlife Service Headquarters  
703-358-2291 (direct)

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Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

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Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Wed May 30 2018 06:12:02 GMT-0600 (MDT)  
**To:** "Litman, Jennifer" <jlitman@blm.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi, Jennifer. There are about 90 PAS, NCSE, and/or Schedule C employees in the Department. (I'll be sharing access to a OCIO list of them very soon.) These kinds of Departmental employees are the only people that trigger the awareness process.  
Thanks.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, May 29, 2018 at 6:44 PM, Litman, Jennifer <jlitman@blm.gov> wrote:

Hi Cindy,  
Thank you for the guidance. I'm a little out of the "know" when it comes to staffing I admit. In short, how far up the chain on DOI/BLM does this affect us? If I am reading this correctly, it means White House level personnel/staffers, etc. and not so much DOI personnel, Zinke being the exception?

Thank you.

**Jennifer Litman**  
Government Information Specialist  
DOI Bureau of Land Management Wyoming State Office  
T: 307.775.6180

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Direct: 202-208-5342 | Main: 202-208-3181

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**"Litman, Jennifer" <jlitman@blm.gov>**

**From:** "Litman, Jennifer" <jlitman@blm.gov>  
**Sent:** Wed May 30 2018 06:49:19 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Thank you, I appreciate your quick response.

**Jennifer Litman**  
Government Information Specialist  
DOI Bureau of Land Management Wyoming State Office  
T: 307.775.6180

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

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OS-2018-00959-00561

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Direct: 202-208-5342 | Main: 202-208-3181

---

## "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>

**From:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Sent:** Wed May 30 2018 13:02:46 GMT-0600 (MDT)  
**To:** "Yamato, Alison" <[alison\\_yamato@nps.gov](mailto:alison_yamato@nps.gov)>  
**CC:** Charis Wilson <[charis\\_wilson@nps.gov](mailto:charis_wilson@nps.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi, Alison. Sorry for the delayed response. Yes, we will get and distribute a list from OCIO.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, May 24, 2018 at 11:03 AM, Yamato, Alison <[alison\\_yamato@nps.gov](mailto:alison_yamato@nps.gov)> wrote:

Thanks Cindy,

I am the FOIA Officer for NPS - IMR and I don't often get any Departmental people involved in my FOIAs. However, I honestly wouldn't know all the names of the political appointees. Will the Department keep/distribute a list for FOIA Officers of the names to search for?

Thanks,  
-Alison

On Thu, May 24, 2018 at 8:16 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

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Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

--

"Do what you can, with what you have, where you are."  
-Theodore Roosevelt



Alison Yamato  
Government Information Specialist - FOIA Officer - IMR  
NPS Intermountain Region  
[12795 W Alameda Pkwy.](#)  
[Lakewood, CO 80228](#)  
303.969.2242 (O)  
303.243.4096 (C)

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## "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>

---

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Wed May 30 2018 13:11:10 GMT-0600 (MDT)  
**To:** Robert Howarth <robert\_howarth@ios.doi.gov>  
**BCC:** Cat Sam Cat Contact List <catsamcat\_contact\_list@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Good afternoon. Great questions have already come in about the awareness process and I am sharing the questions and answers with the group. My answers are in *italics*.

1) Will there be an updated list of PAS, NCSE, and/or Schedule C employees distributed? *Yes. I have just shared a OCIO spreadsheet with this group that OCIO will update on a monthly basis.*

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**Sent:** Wed May 30 2018 13:19:29 GMT-0600 (MDT)  
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"Alcantara, Natasha" <natasha.alcantara@boem.gov>

From: "Alcantara, Natasha" <natasha.alcantara@boem.gov>

OS-2018-00959-00568



**Sent:** Mon Jun 04 2018 11:47:17 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

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Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
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OS-2018-00959-00569

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**Sent:** Mon Jun 04 2018 13:37:30 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Also, how do we handle requests for calendars?

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
US Department of the Interior  
tel: 703-787-1818

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OS-2018-00959-00570



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"Alcantara, Natasha" <natasha.alcantara@boem.gov>

From: "Alcantara, Natasha" <natasha.alcantara@boem.gov>  
Sent: Tue Jun 05 2018 12:43:48 GMT-0600 (MDT)

OS-2018-00959-00571

**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

One more to add to the pile.

What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employees, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to BOEM in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.

Tasha

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
US Department of the Interior  
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**Sent:** Wed Jun 06 2018 08:23:40 GMT-0600 (MDT)  
**To:** "Alcantara, Natasha" <natasha.alcantara@boem.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi, Tasha. Only emails and attachments to emails trigger awareness reviews.

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OS-2018-00959-00573

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

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**"Alcantara, Natasha" <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)>**

**From:** "Alcantara, Natasha" <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)>  
**Sent:** Wed Jun 06 2018 08:31:15 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

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Tasha

Natasha Alcantara  
 Freedom of Information Act Officer/Public Liaison  
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 tel: 703-787-1818

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OS-2018-00959-00575

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**Sent:** Wed Jun 06 2018 08:58:09 GMT-0600 (MDT)  
**To:** "Alcantara, Natasha" <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Oh, I'm sorry. I was responding to the calendars question. I'm still working to confirm the other question—I'll be in touch ASAP.

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OS-2018-00959-00578



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Hi, Tasha. Still working my way through the inbox.

What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employees, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to BOEM in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non- PAS, NCSE, and/or Schedule C employees.

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One more to add to the pile.

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OS-2018-00959-00579

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**From:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Sent:** Fri Jun 15 2018 12:58:45 GMT-0600 (MDT)  
**To:** "Irish, Tony" <[tony.irish@sol.doi.gov](mailto:tony.irish@sol.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi, Tony. Here's the draft we discussed.

Hello, everyone. More questions have arrived and my answers are again in *italics*.

1) What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employee, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to a bureau in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.  
*It goes to him/her. I would strongly suggest letting him know that is his/her only involvement and directing him to where it is in the package.*

OS-2018-00959-00581



2) Do calendars trigger awareness reviews?

*Not unless they are included in an email or attachment to an email. Only emails and attachments to emails trigger awareness reviews.*

3) What if a search turns up an old email naming a current PAS, NCSE, and/or Schedule C employee who wasn't in a Departmental position when the email was sent?

*It goes to him/her. I would strongly suggest letting him know that is his/her only involvement and directing him to where it is in the package.*

4) Are there any awareness reviews that should not go directly to the PAS, NCSE, and/or Schedule C employee directly?

*Awareness reviews for the Deputy Secretary should go to his assistant (Gareth Rees) and awareness reviews for the Secretary should go to the Deputy Chief of Staff for Policy (Downey Magallanes). Other awareness reviews should go directly to PAS, NCSE, and/or Schedule C employee. Additionally, the Deputy Chief of Staff for Policy (Ms. Magallanes) has asked to be carbon copied on any awareness reviews that are sent to the Chief of Staff to the Secretary (Scott Hommel), the Executive Assistant to the Secretary (Caroline Boulton), and/or the Executive Assistant to the Chief of Staff (Elinor Werner).*

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OS-2018-00959-00586



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**Tony Irish <[tony.irish@sol.doi.gov](mailto:tony.irish@sol.doi.gov)>**

**From:** Tony Irish <[tony.irish@sol.doi.gov](mailto:tony.irish@sol.doi.gov)>  
**Sent:** Fri Jun 15 2018 13:25:04 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Cindy,

I think this looks good.

Tony Irish  
 Division of General Law  
 Office of the Solicitor  
 Department of the Interior

OS-2018-00959-00588



On Fri, Jun 15, 2018 at 2:59 PM Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Hi, Tony. Here's the draft we discussed.

Hello, everyone. More questions have arrived and my answers are again in *italics*.

1) What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employee, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to a bureau in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.

*It goes to him/her. I would strongly suggest letting him know that is his/her only involvement and directing him to where it is in the package.*

2) Do calendars trigger awareness reviews?

*Not unless they are included in an email or attachment to an email. Only emails and attachments to emails trigger awareness reviews.*

3) What if a search turns up an old email naming a current PAS, NCSE, and/or Schedule C employee who wasn't in a Departmental position when the email was sent?

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4) Are there any awareness reviews that should not go directly to the PAS, NCSE, and/or Schedule C employee directly?

*Awareness reviews for the Deputy Secretary should go to his assistant (Gareth Rees) and awareness reviews for the Secretary should go to the Deputy Chief of Staff for Policy (Downey Magallanes). Other awareness reviews should go directly to PAS, NCSE, and/or Schedule C employee.*

*Additionally, the Deputy Chief of Staff for Policy (Ms. Magallanes) has asked to be carbon copied on any awareness reviews that are sent to the Chief of Staff to the Secretary (Scott Hommel), the Executive Assistant to the Secretary (Caroline Boulton), and/or the Executive Assistant to the Chief of Staff (Elinor Werner).*

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

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3) If the email triggering an awareness review has been released before, should an awareness review still occur? *Yes, send the package to him. I would strongly suggest letting him know that is his only involvement, it has already been released, and directing him to where it is in the package.*

4) If the email triggering an awareness review has been released before, is already online, and a link is being sent to the requester rather than a package of materials, should an awareness review still occur? *Yes, send the package to her. I would strongly suggest letting her know that is her only involvement, it has already been released, and directing her to where it is on the website.*

5) What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name? *If your Director is a PAS, NCSE, and or Schedule C employee, it goes to him. If not, it doesn't.*

6) When we send the records up, do we send finalized redactions or just the temporary redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure. *Yes, finalized redactions.*

7) Does footnote 8 mean every random person who gets their hands on a FOIA all just reach out to whoever's PAS, NCSE, and/or Schedule C employee directly? *You have discretion as to whether the contact comes directly from the Action Office or is more centralized within the bureau. (Personally, I prefer centralization) It would not come from random people though; it is the FOIA personnel in the Action Office that have collected the records, reviewed them, and has the redactions reviewed and applied (as needed)—all of which must occur before an awareness review. Non-FOIA personnel would never send up an awareness review.*

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OS-2018-00959-00591

request as part of the awareness notification.

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**"Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>**

---

**From:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Sent:** Tue Jun 19 2018 09:35:27 GMT-0600 (MDT)  
**To:** Tony Irish <tony.irish@sol.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Thanks!

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Fri, Jun 15, 2018 at 3:25 PM, Tony Irish <tony.irish@sol.doi.gov> wrote:  
Cindy,

I think this looks good.

Tony Irish  
Division of General Law  
Office of the Solicitor  
Department of the Interior  
202-208-5065 (phone)

On Fri, Jun 15, 2018 at 2:59 PM Cafaro, Cindy <cindy\_cafaro@ios.doi.gov> wrote:  
Hi, Tony. Here's the draft we discussed.

Hello, everyone. More questions have arrived and my answers are again in *italics*.

1) What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employee, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to a bureau in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.  
*It goes to him/her. I would strongly suggest letting him know that is his/her only involvement and directing him to where it is in the package.*

2) Do calendars trigger awareness reviews?  
*Not unless they are included in an email or attachment to an email. Only emails and attachments to emails trigger awareness reviews.*

3) What if a search turns up an old email naming a current PAS, NCSE, and/or Schedule C employee who wasn't in a Departmental position when the email was sent?  
*It goes to him/her. I would strongly suggest letting him know that is his/her only involvement and directing him to where it is in the package.*

4) Are there any awareness reviews that should not go directly to the PAS, NCSE, and/or Schedule C employee directly?  
*Awareness reviews for the Deputy Secretary should go to his assistant (Gareth Rees) and awareness reviews for the Secretary should go to the Deputy Chief of Staff for Policy (Downey Magallanes). Other awareness reviews should go directly to PAS, NCSE, and/or Schedule C employee. Additionally, the Deputy Chief of Staff for Policy (Ms. Magallanes) has asked to be carbon copied on any awareness reviews that are sent to the Chief of Staff to the Secretary (Scott Hommel), the Executive Assistant to the Secretary (Caroline Boulton), and/or the Executive Assistant to the Chief of Staff (Elinor Werner).*

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

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2) It looks like we are only concerned with emails and attachments to emails. So if something went through DTS and we locate it in DTS, but not in the email system, it does not need to go up through the awareness process no matter whose name appears in the document or who signed it? *Yes.*

OS-2018-00959-00592



- 3) If the email triggering an awareness review has been released before, should an awareness review still occur? *Yes, send the package to him. I would strongly suggest letting him know that is his only involvement, it has already been released, and directing him to where it is in the package.*
- 4) If the email triggering an awareness review has been released before, is already online, and a link is being sent to the requester rather than a package of materials, should an awareness review still occur? *Yes, send the package to her. I would strongly suggest letting her know that is her only involvement, it has already been released, and directing her to where it is on the website.*
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- 7) Does footnote 8 mean every random person who gets their hands on a FOIA all just reach out to whoever's PAS, NCSE, and/or Schedule C employee directly? *You have discretion as to whether the contact comes directly from the Action Office or is more centralized within the bureau. (Personally, I prefer centralization ) It would not come from random people though; it is the FOIA personnel in the Action Office that have collected the records, reviewed them, and has the redactions reviewed and applied (as needed)—all of which must occur before an awareness review. Non-FOIA personnel would never send up an awareness review.*
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**"Alcantara, Natasha" <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)>**

---

**From:** "Alcantara, Natasha" <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)>  
**Sent:** Tue Jun 19 2018 11:40:59 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Is there any follow up on this? I know you have been busy.

Tasha

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
US Department of the Interior  
tel: 703-787-1818

Warning: This Email and any attachments may contain Privacy Act Data/Sensitive Data which is intended only for the use of the individual(s) to whom it is addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable laws.

On Wed, Jun 6, 2018 at 10:58 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Oh, I'm sorry. I was responding to the calendars question. I'm still working to confirm the other question—I'll be in touch ASAP.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Jun 6, 2018 at 10:31 AM, Alcantara, Natasha <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)> wrote:  
Cindy,

My apology I wasn't clear. If I have emails that mention the Secretary, do I send them to the Secretary?

Tasha

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
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On Wed, Jun 6, 2018 at 10:23 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:  
Hi, Tasha. Only emails and attachments to emails trigger awareness reviews.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Mon, Jun 4, 2018 at 3:37 PM, Alcantara, Natasha <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)> wrote:  
Also, how do we handle requests for calendars?

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
US Department of the Interior  
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On Mon, Jun 4, 2018 at 1:47 PM, Alcantara, Natasha <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)> wrote:  
Cindy,

Where do we send responsive records that include letters from/to or emails that mention the Secretary?

Thanks,

Tasha

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
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US Department of the Interior  
tel: 703-787-1818

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On Wed, May 30, 2018 at 3:11 PM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Good afternoon. Great questions have already come in about the awareness process and I am sharing the questions and answers with the group. My answers are in *italics*.

1) Will there be an updated list of PAS, NCSE, and/or Schedule C employees distributed? *Yes. I have just shared a OCIO spreadsheet with this group that OCIO will update on a monthly basis.*

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5) What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name? *If*

OS-2018-00959-00596

*your Director is a PAS, NCSE, and or Schedule C employee, it goes to him. If not, it doesn't.*

6) When we send the records up, do we send finalized redactions or just the temporary redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure. *Yes, finalized redactions.*

7) Does footnote 8 mean every random person who gets their hands on a FOIA all just reach out to whoever's PAS, NCSE, and/or Schedule C employee directly? *You have discretion as to whether the contact comes directly from the Action Office or is more centralized within the bureau. (Personally, I prefer centralization.) It would not come from random people though; it is the FOIA personnel in the Action Office that have collected the records, reviewed them, and has the redactions reviewed and applied (as needed)—all of which must occur before an awareness review. Non-FOIA personnel would never send up an awareness review.*

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Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

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From: "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>

OS-2018-00959-00597



**Sent:** Tue Jun 19 2018 12:18:42 GMT-0600 (MDT)  
**To:** Robert Howarth <robert\_howarth@ios.doi.gov>  
**BCC:** Cat Sam Cat Contact List <catsamcat\_contact\_list@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hello again, everyone. More great questions have arrived and my answers are again in *italics*.

1) What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employee, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to a bureau in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.

*It goes to her. I would strongly suggest letting her know that is her only involvement and directing her to where it is in the package.*

2) Do calendars trigger awareness reviews?

*Not unless they are included in an email or attachment to an email. Only emails and attachments to emails trigger awareness reviews.*

3) What if a search turns up an old email naming a current PAS, NCSE, and/or Schedule C employee who wasn't in a Departmental position when the email was sent (for example, it was sent when the PAS, NCSE, and/or Schedule C employee was an employee of company X or an elected official in state Y)?

*It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*

4) Are there any awareness reviews that should not go directly—or only—to the PAS, NCSE, and/or Schedule C employee?

*Awareness reviews for the Deputy Secretary should go to his assistant (Gareth Rees) and awareness reviews for the Secretary should go to the Deputy Chief of Staff for Policy (Downey Magallanes). Other awareness reviews should go directly to the PAS, NCSE, and/or Schedule C employee.*

*Additionally, the Deputy Chief of Staff for Policy (Ms. Magallanes) should be carbon copied on any awareness reviews that are sent to the Chief of Staff to the Secretary (Scott Hommel), the Executive Assistant to the Secretary (Caroline Boulton), and/or the Executive Assistant to the Chief of Staff (Elinor Werner (née Renner)).*

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## "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>

**From:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Sent:** Tue Jun 19 2018 12:22:02 GMT-0600 (MDT)  
**To:** "Alcantara, Natasha" <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Yes! I just sent out the email on it, then dove into my inbox and happened to find this.  
Great timing. Just let me know if you have any additional questions.  
Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, Jun 19, 2018 at 1:40 PM, Alcantara, Natasha <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)> wrote:

Is there any follow up on this? I know you have been busy.

Tasha

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
US Department of the Interior  
tel: 703-787-1818

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On Wed, Jun 6, 2018 at 10:58 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Oh, I'm sorry. I was responding to the calendars question. I'm still working to confirm the other question—I'll be in touch ASAP.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Jun 6, 2018 at 10:31 AM, Alcantara, Natasha <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)> wrote:

Cindy,

My apology I wasn't clear. If I have emails that mention the Secretary, do I send them to the Secretary?

Tasha

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
US Department of the Interior  
tel: 703-787-1818

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On Wed, Jun 6, 2018 at 10:23 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:  
Hi, Tasha. Only emails and attachments to emails trigger awareness reviews.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Mon, Jun 4, 2018 at 3:37 PM, Alcantara, Natasha <[natasha.alcantara@boem.gov](mailto:natasha.alcantara@boem.gov)> wrote:  
Also, how do we handle requests for calendars?

Natasha Alcantara  
Freedom of Information Act Officer/Public Liaison  
Bureau of Ocean Energy Management  
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tel: 703-787-1818

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Cindy,

Where do we send responsive records that include letters from/to or emails that mention the Secretary?

Thanks,

Tasha

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Freedom of Information Act Officer/Public Liaison  
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"Wilson, Charis" <[charis\\_wilson@nps.gov](mailto:charis_wilson@nps.gov)>

From: "Wilson, Charis" <[charis\\_wilson@nps.gov](mailto:charis_wilson@nps.gov)>

OS-2018-00959-00601



**Sent:** Tue Jun 19 2018 13:02:58 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <cindy\_cafaro@ios.doi.gov>  
**Subject:** Re: Awareness Process for FOIA Productions

Hi Cindy,

Item 1 appears to contradict your answer to item 2 in your May 30 email, wherein you said that correspondence that had gone through the full DTS process did NOT need to be sent through the awareness process.

Additionally, our WASO FOIA coordinator and I would suggest that for item 4 of the most recent email, that the appropriate central point-of-contact be listed on the main political list that is supposed to be maintained on Google Drive. That way there is one central point where everyone can go to get the most updated information, without having to try and scroll through multiple email threads to find the appropriate contact information.

C.

Ms. Charis Wilson, Ph.D., CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

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*It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*

4) Are there any awareness reviews that should not go directly—or only—to the PAS, NCSE, and/or Schedule C employee?  
*Awareness reviews for the Deputy Secretary should go to his assistant (Gareth Rees) and awareness reviews for the Secretary should go to the Deputy Chief of Staff for Policy (Downey Magallanes). Other awareness reviews should go directly to the PAS, NCSE, and/or Schedule C employee. Additionally, the Deputy Chief of Staff for Policy (Ms. Magallanes) should be carbon copied on any awareness reviews that are sent to the Chief of Staff to the Secretary (Scott Hommel), the Executive Assistant to the Secretary (Caroline Boulton), and/or the Executive Assistant to the Chief of Staff (Elinor Werner (née Renner)).*

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, May 30, 2018 at 3:11 PM, Cafaro, Cindy <cindy\_cafaro@ios.doi.gov> wrote:

Good afternoon. Great questions have already come in about the awareness process and I am sharing the questions and answers with the group. My answers are in *italics*.

1) Will there be an updated list of PAS, NCSE, and/or Schedule C employees distributed? *Yes. I have just shared a OCIO spreadsheet with this group that OCIO will update on a monthly basis.*

2) It looks like we are only concerned with emails and attachments to emails. So if something went through DTS and we locate it in DTS, but not in the email system, it does not need to go up through the awareness process no matter whose name appears in the document or who signed it? *Yes.*

3) If the email triggering an awareness review has been released before, should an awareness review still occur? *Yes, send the package to him. I would strongly suggest letting him know that is his only involvement, it has already been released, and directing him to where it is in the package.*

4) If the email triggering an awareness review has been released before, is already online, and a link is being sent to the requester rather than a package of materials, should an awareness review still occur? *Yes, send the package to her. I would strongly suggest letting her know that is her only involvement, it has already been released, and directing her to where it is on the website.*

5) What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name? *If your Director is a PAS, NCSE, and or Schedule C employee, it goes to him. If not, it doesn't.*

6) When we send the records up, do we send finalized redactions or just the temporary redactions so they can see what was withheld? *Looks like it says*

OS-2018-00959-00602



finalized, but just want to be sure. Yes, *finalized redactions*.

7) Does footnote 8 mean every random person who gets their hands on a FOIA all just reach out to whoever's PAS, NCSE, and/or Schedule C employee directly? *You have discretion as to whether the contact comes directly from the Action Office or is more centralized within the bureau. (Personally, I prefer centralization.) It would not come from random people though; it is the FOIA personnel in the Action Office that have collected the records, reviewed them, and has the redactions reviewed and applied (as needed)—all of which must occur before an awareness review. Non-FOIA personnel would never send up an awareness review.*

8) Do they need to see the outgoing letter as well? The incoming request? Or just the records? *You have discretion. I would include the incoming request as part of the awareness notification.*

9) What are we doing when we notify the SOL attorney in step 2, ii? Just letting them know that it's going up? Or are they supposed to review again within 72 hours? *The purpose is to let them know it is going up.*

10) I've heard a PAS, NCSE, and/or Schedule C employee wants to delegate their review to someone on their staff - do we care? Should we just send to who they designate? Insist that it goes to the political + the designee? *I would send it to the person + their designee, unless the person had sent written direction that this was delegated to the designee and they should not be included.*

11) I'm still not totally clear on what they want to see. Here are some examples of things I would worry about, because I'm just not sure:

- email with 20 people cc'd and one of them is a PAS, NCSE, and/or Schedule C employee, he doesn't respond, that's the only place he appears *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*
- email from Chief of Staff directly to a PAS, NCSE, and/or Schedule C employee, she doesn't respond, that's the only place she appears *It goes to her. I would strongly suggest letting her know that is her only involvement and directing her to where it is in the package.*
- email between two bureau employees that states "we'll need to get [a PAS, NCSE, and/or Schedule C employee] to sign off on this", and he's never mentioned again *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*
- outgoing letter responding to an inquiry from a member of the public with Secretary's signature *It is not an email, so it does not go to him.*
- memo sent to all employees by a PAS, NCSE, and/or Schedule C employee *If it was sent via email, it goes to her. Otherwise, it does not.*
- email that is being withheld in full, but names a PAS, NCSE, and/or Schedule C employee ("We were told this is close hold, but today at the meeting John Smith speculated that we may soon start working on ideas for...") and that's the only place the name appeared *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is redacted in the package.*
- email from a PAS, NCSE, and/or Schedule C employee reviewed and found in interim release #6 of 10. Do we just send her that interim release? Or also everything that already went out? And then for the next 4 interim releases where she's not mentioned again? *The package for release #6 goes to her. I would let her know it is release #6 and more releases are anticipated, but would not send the earlier (or later) packages unless requested to do so.*
- all-employee memo signed by a PAS, NCSE, and/or Schedule C employee, but the email transmitting the memo was sent by HR, would that go up? *Yes.*
- email between two bureau employees stating "This is one of the Secretary's priorities" but they don't name the Secretary (but from the dates we can see it's from this administration) or mention him anywhere else. Would that go up? *No.*

12) Once the PAS, NCSE, and/or Schedule C employee has left DOI that's the end of our obligation right? *Yes.*

13) What about stuff that very clearly needs to go to either our own Director or AS? *This memo doesn't stop your "usual response process," and if those notifications are part of it, no problem.*

14) How far up the chain on DOI does this affect us? If I am reading this correctly, it means White House level personnel/staffers, etc. and not so much DOI personnel, the Secretary being the exception? *There are about 90 PAS, NCSE, and/or Schedule C employees in the Department. (Listed in OCIO spreadsheet discussed above.) These kinds of Departmental employees are the only people that trigger the awareness process.*

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On Thu, May 24, 2018 at 10:16 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

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**"Moore, Angela" <[angela.moore@sol.doi.gov](mailto:angela.moore@sol.doi.gov)>**

**From:** "Moore, Angela" <[angela.moore@sol.doi.gov](mailto:angela.moore@sol.doi.gov)>  
**Sent:** Tue Jun 19 2018 13:04:40 GMT-0600 (MDT)  
**To:** "Cafaro, Cindy" <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>  
**Subject:** Re: Awareness Process for FOIA Productions

Thanks, Cindy. These Q&A's are extremely helpful.

Angela